

REMARKS

I. Status of the Claims

Claims 1-5, 9-10, 12-29, 32-41, 46-50, 52-66, and 68-79 are pending in the application.

Claim 65 is amended.

II. Telephone Interview

Applicants thank the Examiner for conducting a telephone interview on August 13, 2008.

During the Interview, the invention described by claim 65 was discussed in light of Katinsky and Robbin, and a proposed claim amendment was discussed. The Examiner agreed that the proposed amendment would distinguish the claim from the cited art, but that another search would be required.

In addition, the invention described by claim 1 was discussed in light of the cited art. The applicant's representative emphasized the relationship between the claimed "first region," "second region," and "third region," and the order in which a user makes selections. The applicant's representative pointed out that the claimed "first region" displays "first indicators" representing information segments selected from a database. The claimed "second region" displays "second indicators" representing "information segments" selected by the user from among the "first indicators" shown in the "first region." The claimed "third region" displays "third indicators" representing "second indicators" selected by the user from those shown in the "second region." The applicant's representative further pointed out that neither Katinsky nor Robbin teaches or suggests this particular combination. However, no agreement was reached during the Interview.

III. Claim Rejections - 35 USC § 103**A. Claims 1-3, 9, 10, 12-15, 19, 61, 62, 65 and 68-74**

Claims 1-3, 9, 10, 12-15, 19, 61, 62, 65, and 68-74 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,452,609 (“Katinsky”) in view of U.S. Patent No. 6,731,312 (“Robbin”). Claim 65 is amended, and the rejection of all the claims is respectfully traversed.

1. Claim 1

Independent claim 1 defines a method for providing a user with media segments in an order selected by the user. Claim 1 requires “storing a first plurality of information segments in a database,” “displaying, in a first region of a display device, a plurality of first indicators each representative of a respective one of a second plurality of information segments selected from the first plurality of stored information segments,” and “allowing the user to select information segments from among the information segments represented by the displayed first indicators.” Claim 1 also requires “displaying in a second region of the display device different from the first region, second indicators representing the respective information segments selected by the user from among the information segments represented by the displayed first indicators,” “allowing the user to play any one of the respective information segments represented by a corresponding second indicator in the second region,” and “allowing the user to select a plurality of the second indicators for placement into a third region different from the second region.” Claim 1 further requires “displaying in a sequence, in the third region, third indicators corresponding to the selected second indicators” and “allowing the user to rearrange the sequence of the third indicators displayed in the third region to affect an order in which the user selected information segments are to be presented to the user.”

2. Katinsky

Katinsky discloses a web page containing a player for playing media objects, and a sequencer displaying a play list which has an order in which media objects are played by the player. (Abstract). A media icon access panel displays a series of subject matter tabs, one or more of which a user can select to browse media icons related to the selected subject. (Col. 4, lines 26-33; Fig. 1). When a subject matter tab is selected, the top level of a hierarchical outline appears containing bulleted items. (Col. 4, lines 26-33). (The outline is presumably predetermined and pre-stored in memory. The precise manner in which the outline is generated is not described.) Clicking the text of a bulleted item causes the next level of the outline to appear within the media icon access panel. (Col. 4, lines 37-45). Clicking on a bulleted item in a sublist causes the next lower level of the outline to be displayed. (Col. 4, lines 37-45). The lowest level of the outline includes a list of media icons each representing a media object. (Col. 4, lines 50-56). Each media icon comprises a graphic icon and text to explain the content of the media object. (Col. 4, lines 50-56).

A user can create a play list of media icons by dragging media icons from the hierarchical outline in the media icon access panel into a play list box displayed on the web page. (Col. 5, lines 1-8; Fig. 3A). The user can modify the order of media icons in the play list by dragging the media icon copy inside the play list box. (Col. 5, lines 16-20).

Katinsky also allows a user to save a "session state" between visits, so that when a user returns to the site, the content present when the user ended the previous session will be available to the user. (Col. 8, lines 25-30).

3. Robbin

Robbin teaches a media player interface that displays a plurality of panes in a window frame. A first pane shows a user selectable index of media files (such as songs). (Col. 1, lines 26-32). Second and third panes display information relating to the media files indexed in the first pane. (Col. 1, lines 32-35). In an example discussed at column 2, lines 20-29 and in Fig. 1, the first pane displays a plurality of media files that includes songs. The second pane displays a list of artists associated with each of the songs shown in the first pane, and the third pane shows a plurality of albums associated with each of the songs shown in the first pane. In another example, a user selectable refresh button is displayed in the window frame. (Col. 3, lines 20-22). Selection of the refresh button connects the user's computer to the Internet, to obtain refreshed information for the displayed media files. (Col. 3, lines 24-27).

Robbin discloses allowing a user to create a playlist by dragging and dropping from the first pane selected media files to a playlist icon in a fourth pane. (Col. 3, lines 34-40). When the playlist icon is selected, a new page is displayed that shows a list of the media files in the user's playlist. (Col. 3, lines 41-45).

4. Neither Katinsky nor Robbin, Individually or Collectively, Teaches or Suggests the Combination of Claim 1.

Neither Katinsky nor Robbin, individually or collectively, teaches or suggests the combination of claim 1. Even when combined in the manner proposed by the Examiner, the combination of Katinsky and Robbin does not teach or suggest the claimed "first region," "second region," and "third region." As discussed in Section II above, the claimed "first region" displays "first indicators" representing information segments selected from a database. The claimed "second region" displays "second indicators" representing "information segments" selected by the user from among the "first indicators" shown in the "first region." The claimed

“third region” displays “third indicators” representing “second indicators” selected by the user from those shown in the “second region.”

As discussed above, Katinsky discloses only two regions - a “media access panel 12” containing an “outline 24”, and a “sequencer 14” containing a play list. As shown in Figs. 1 and 2A-2B of Katinsky, “bulleted items 26” in the outline represent information segments selected from a database. When the bulleted items are selected, the selected items are displayed in the play list. However, Katinsky does not disclose a “third region” that displays items selected by the user from the play list, and therefore does not teach or suggest the claimed “third region” displaying “third indicators” corresponding to “second indicators” selected from the claimed “second region,” as required by claim 1.

Robbin also does not teach or suggest the claimed “third region.”

As pertains to three regions recited in claim 1, the disclosure of Robbin is merely redundant to that of Katinsky. As discussed above, Robbin discloses a first pane containing an index of media files selected from a database, and “second” and “third” panes that display information related to the media files shown in the first pane. However, neither the “second pane” nor the “third pane” displays “second indicators” representing media files selected by the user from those shown in the first pane, as required by claim 1. Only the playlist, shown on a second page in Robbin, displays media files selected by the user from among those shown in the first pane. However, Robbin does not disclose a “third region” that displays media files selected by the user from the playlist, and therefore fails to teach or suggest a “third region” that displays “third indicators” selected from the claimed “second region,” as required by claim 1.

None of the other cited art teaches or suggests the combination of claim 1, either. Therefore, claim 1 and its dependent claims are patentable over the cited art. The dependent claims include patentable limitations, as well.

5. Claim 65

Independent claim 65 has been amended as discussed in the Interview.

Claim 65 defines a method for presenting to a user media segments in an order selected by the user. Claim 64 has been amended to require “displaying, in a first region of a first page shown on a display device, a plurality of first indicators each representative of a respective one of a plurality of information segments selected from a database during a search of the database.” Claim 65 also requires “receiving from the user selections of individual information segments from among the plurality of information segments represented by the displayed first indicators, each of the user selected information segments being represented by respective second indicators, the second indicators being different from the corresponding information segments and first indicators” and “displaying simultaneously with at least one of the plurality of first indicators, in a second region of the first page different from the first region, a list comprising the second indicators corresponding to the user selected information segments, in response to the selection of each individual information segment, the second indicators being displayed in a sequence within the list corresponding to an order in which the information segments are selected.” Claim 65 has been further amended to require “displaying, on a second page shown on the display device, one or more additional first indicators each representative of a respective one of the plurality of information segments selected from the database during the search, in response to a selection by the user of an option, displayed on the first page, to display additional first indicators.” Claim 65 further requires “displaying the list including the selected second

indicators on the second page simultaneously with the one or more additional first indicators,” “allowing the user to select at least one additional information segment represented by the one or more additional first indicators,” and “displaying, within the list, at least one additional second indicator corresponding to the at least one selected additional information segment, the at least one additional second indicator being displayed in the sequence in a position corresponding to an order in which the at least one additional information segment is selected with respect to the selected information segments.” Claim 65 also requires “allowing the user to select an indicator from among the second indicators and the at least one additional second indicator in the list and change the position of the selected indicator with respect to the other second indicators and additional second indicators in the sequence” and “presenting the user selected information segments represented by the respective second indicators and additional second indicators in the sequence in the same order as the respective second indicators and additional second indicators in the sequence.” Support for the amendments to page 65 is found at page 13, lines 1-12, and in Fig. 6 (item 680), for example.

Katinsky and Robbin are discussed above.

As discussed during the Interview, Robbin does not teach or suggest “displaying, in a first region of a first page shown on a display device, a plurality of first indicators each representative of a respective one of a plurality of information segments selected from a database during a search of the database” and “displaying, on a second page shown on the display device, one or more additional first indicators each representative of a respective one of the plurality of information segments selected from the database during the search, in response to a selection by the user of an option, displayed on the first page, to display additional first indicators,” as required by amended claim 65. Robbin only discloses allowing a user to select a “Refresh”

button, causing a new search to be performed, and obtaining any updated media files that may result therefrom, Robbin does not teach or suggest displaying, on a first page, a plurality of media files obtained during a search, and subsequently displaying, on a second page, additional media files obtained during the same search, as claimed.

None of the other cited art teaches or suggests the combination of claim 65, either. Therefore, claim 65 and its dependent claims are patentable over the cited art. The dependent claims include patentable limitations, as well.

B. Claims 4, 5 and 16-18

Claims 4, 5, and 16-18 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of Robbin and further in view of U.S. Patent No. 6,263,507 (“Ahmad”). The rejection is respectfully traversed.

Claims 4, 5 and 16-18 depend from independent claim 1. Claim 1 is patentable for the reasons set forth above. Therefore, claims 4, 5 and 16-18 are also patentable over the cited art. The dependent claims include patentable limitations, as well.

C. Claims 20-22, 25-29, 46-48, 52-56, 60, 63 and 64

Claims 20-22, 25-29, 46-48, 52-56, 60, 63 and 64 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of U.S. Patent No. 7,222,163 (“Girouard”) and further in view of Robbin. The rejection is respectfully traversed.

Katinsky is discussed above. Girouard discloses a system and method for providing a video delivery service over a network. In an example cited by the Examiner, a user accesses a search form on a web page. (Col. 13, lines 15-16). The user issues a query to search for a video by typing in a keyword (or keywords). (Col. 13, lines 19-20). A server identifies video clips matching the query. (Col. 13, lines 22-24). Query results are presented to the user on a portion

of a new web page consisting of metadata elements of each retrieved video clip. (Col. 13, lines 24-30). The user may access one or more of the displayed videos by selecting a link in the search results web page. (Col. 13, lines 37-39).

Independent claims 20 and 46 each requires a “first region” for displaying “first indicators,” a “second region” for displaying “second indicators,” and a “third region” for displaying “third indicators,” in a manner similar to that recited in claim 1. For the reasons discussed above with respect to claim 1, none of the cited art, including Katinsky, Girouard, and Robbin, teaches or suggests this combination. Therefore, claims 20 and 46, and their respective dependent claims, are patentable over the cited art. The dependent claims include patentable limitations, as well.

D. Claims 23, 24, 49, 50 and 57-59

Claims 23, 24, 49, 50 and 57-59 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of Girouard and further in view of Ahmad. The rejection is respectfully traversed.

Claims 23-24 depend from independent claim 20. Claims 49-50 and 57-59 depend from independent claim 46. Claims 20 and 46 are patentable for the reasons set forth above. Therefore, claims 23-24, 49-50 and 57-59 are also patentable over the cited art. The dependent claims include patentable limitations, as well.

E. Claims 32-41, 66 and 75-79

Claims 32-41, 66, and 75-79 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of U.S. Patent No. 6,615,248 (“Smith”) and further in view of Robbin. The rejection is respectfully traversed.

1. Claim 32

Claim 32 defines a method for presenting to a user media segments in an order selected by the user. Claim 32 requires “receiving from a user a request to perform a search and one or more search terms,” “searching a database in response to the request,” and “displaying, in a first region of a first page of a display device, a plurality of first indicators each representative of a respective one of a plurality of information segments retrieved from the database that includes at least one of the one or more search terms.” Claim 32 further requires “displaying, in a second region of the first page of the display device different from the first region, a list comprising at least a second indicator representative of a respective information segment selected by the user from the first region” and “arranging the second indicator with at least a third indicator displayed in the list in a sequence, the third indicator being representative of a second information segment.” Claim 32 also requires “allowing the user to select the second indicator and change the position of the second indicator with respect to the third indicator in the sequence, to generate a selected order of the second and third indicators,” “displaying the list including the selected second indicators on a second page of the display device,” and “allowing the user to generate a second list on the second page, the second list comprising fourth indicators selected by the user from among the second and third indicators in the list, displayed in a second order.” Claim 32 further requires “presenting the selected information segment and the second information segment according to the second order of the second and third indicators representative thereof in the second list.”

Thus, in accordance with an example described in the Specification with reference to Fig. 2 and 7, a user can cause a search to be performed, whereby search results 230, 245 and 260 are displayed in a “first region of a first page.” In this example, the user may select one or more of

the displayed search results, whereby a “list” of corresponding “second indicators” is displayed in a “second region of the first page” (the “video cart 280”). When the user clicks on the “Build a Newscast” button, the “list” is displayed on a “second page.” The user can rearrange the indicators in the list on the “second page” (and remove some of the indicators, if the user wishes), and the reordered indicators are displayed as “fourth indicators” in a “second list” displayed on the “second page.”

Katinsky and Robbin are discussed above.

Smith discloses a method and system for enabling content from a plurality of content sources to be searched, displayed, and accessed for consumption. (Abstract). In an example shown in Fig. 4, cited by the Examiner, a page shown on a display device includes a “page index area 450” and a “search results area 420.” The “page index area 450” includes user selectable links to pages relating to various subjects, such a TV, games, or music. (Col. 7, lines 46-65). When a user conducts a search relating to a selected category, such as radio stations, search results are displayed in the search results area 420. (Col. 7, line 63 - col. 8, line 1). The user can make selections from the displayed search results; the selections are added to a list of user preferences (favorite radio stations). (Col. 8, lines 1-3). Subsequently, the list of favorite radio stations is displayed in the search results area 420. (Col. 8, lines 3-5).

The system of Smith is capable of analyzing user habits in conducting searches, to identify search patterns. (Col. 10, lines 41-45). When a pattern is identified, the system may create a link to the “default category page links 451” containing preferences of the user. (Col. 10, lines 43-47). While the description of this feature is not clear or complete, the “default category page link” function appears to create an additional category link (presumably displayed in the “page index area 450”) to a “default category page” (shown in the search results area 420)

which would contain further links to the user's preferred search results. Smith provides a brief example using a user's "favorite news locations," where a category link, such as "favorite news locations," is displayed in the page index area 450, and links to a page of favorite search results relating to news locations (displayed in the search results area 420).

Katinsky, Smith, and Robbin, individually and collectively, fail to teach or suggest the combination of claim 32. Claim 32 recites a "first region" that displays "first indicators," a "second region" that displays "a list comprising at least a second indicator" representing "information segments selected by the user from the first region," and "a second list on a second page" comprising "fourth indicators selected by the user from the indicators in the 'list.'" For reasons similar to those presented above with respect to claim 1, neither Katinsky nor Robbin teaches or suggests "allowing the user to generate a second list on the second page, the second list comprising fourth indicators selected by the user from among the second and third indicators in the list, displayed in a second order," as required by claim 32. (Emphasis added).

Smith also does not teach or suggest this limitation. At most, Smith discloses the additional category "link" to a "default category page" containing preferences of the user, as discussed above. However, as discussed in the Seventh Amendment dated March 21, 2008, the additional category "link" connects to, and therefore represents, a "default category page" (a favorites page). It is not the claimed "fourth indicator," which is displayed on the claimed "second page." and which is "selected by the user from among the second and third indicators in the list," as claimed. The category "link" itself is not the claimed "fourth indicator" because it is not "selected by a user." The favorites page, to which the link connects, is displayed in the search results area 420, and thus is not the claimed "second list on the second page," as required by claim 32.

None of the other cited art teaches or suggests the combination of claim 32, either. Therefore, claim 32 and its dependent claims are patentable over the cited art. The dependent claims also include patentable limitations.

2. Claim 66

Independent claim 66 defines a method for providing a user with media segments in an order selected by the user, and requires a “second region” that displays “descriptors,” a “third region” that displays “first indicators” corresponding to the selected descriptors, and a “second page” that displays “second indicators” corresponding to the “first indicators.” For reasons similar to those stated above with respect to claim 32, none of Katinsky, Smith or Robbin teaches or suggests these limitations. Therefore, claim 66 is also patentable over the cited art.

F. Claim 80

Claim 80 has been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Robbin in view of Katinsky. The rejection is respectfully traversed.

Claim 80 defines a method for presenting to a user media segments in an order selected by the user. Claim 80 requires, in part, “displaying, in a first region of a first page shown on a display device, a plurality of first indicators each representative of a respective one of a plurality of information segments selected from a database” and “receiving from the user selections of individual information segments from among the plurality of information segments represented by the displayed first indicators, each of the user selected information segments being represented by respective second indicators, the second indicators being different from the corresponding information segments and first indicators.” Claim 80 also requires “displaying simultaneously with at least one of the plurality of first indicators, in a second region of the first page different from the first region, a list comprising the second indicators corresponding to the

user selected information segments, in response to the selection of each individual information segment, the second indicators being displayed in a sequence within the list corresponding to an order in which the information segments are selected” and “displaying, on a second page shown on the display device, one or more additional first indicators each representative of a respective one of the plurality of information segments, the one or more additional first indicators being available only on the second page.” (Emphasis added).

In accordance with the method of claim 80, search results are displayed one page at a time. Additional first indicators, which are a second set of search results, are only available on a “second page.” The user’s list of “indicators” is carried over from page to page.

Neither Katinsky nor Robbin teaches or suggests “displaying, on a second page shown on the display device, one or more additional first indicators each representative of a respective one of the plurality of information segments, the one or more additional first indicators being available only on the second page,” as required by claim 80. (Emphasis added). The Examiner has admitted that Robbin does not teach or suggest this limitation. Katinsky does not do so either.

The Examiner has cited column 4, lines 26-56 of Katinsky, and appears to have alleged that Katinsky’s disclosure that a user may access the various “levels” of the outline by clicking on “buttons” reads on this limitation. However, additional levels of the outline are displayed in the same “media icon access panel 12,” not on a “second page,” as required by claim 80.

None of the other cited art teaches or suggests the combination of claim 80, either. Therefore, new claim 80 is patentable over the cited art.

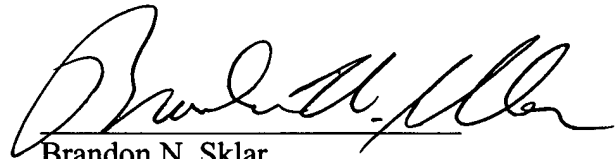
IV. Conclusion

In view of the foregoing, each of claims 1-5, 9-10, 12-29, 32-41, 46-50, 52-66, and 68-80, as amended, is believed to be in condition for allowance. Accordingly, reconsideration of these claims is requested and allowance of the application are respectfully requested.

Respectfully submitted,
Kaye Scholer LLP

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By

A handwritten signature in black ink, appearing to read "Brandon N. Sklar", written over a horizontal line.

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